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AUTHORIZATION OF AGENT,  
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APPLICATION**

Application Number	09/330,274
Filing Date	June 11, 1999
First Named Inventor	Luis Valente
Group Art Unit	Not Yet Assigned
Examiner Name	Not Assigned
Attorney Docket Number	NCI-061

I hereby appoint:

☒ Practitioners at Customer Number

22883

OR

☐ Practitioner(s) named below:

Name	Registration Number



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I am the:

☐ Applicant.

☒ Assignee of record of the entire interest  
Certificate under 37 CFR 3.73(b) is enclosed

**SIGNATURE of Applicant or Assignee of Record**

Name	Gordon Yamate
Signature	<i>Gordon Yamate</i>
Date	11/11/99

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PTO/SB/96(6-98)

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## STATEMENT UNDER 37 CFR 3.73(b)

JAN 03 2000

PATENT &amp; TRADEMARK OFFICE

Applicant/Patent Owner: Luis Valente

Application No./Patent No.: 09/330,274 Filed/Issue Date: June 11, 1999

Entitled: Hierarchical Open Security Information Delegation And Acquisition

Network Computer, Inc.

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Network Computer, Inc. To: Liberate Technologies  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Luis Valente To: Network Computer, Inc.  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE]:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

11/22/99  
Date

*Gordon Yamate*  
Signature

Gordon Yamate  
Typed or printed name

Vice President & General Counsel  
Title

Jun 10 99 11:36a

Roger Ross

650-631-4136

P. 2

ent By: INCORPORATING SERVICES LTD

302 678 0789;

May-12-99 3PM;

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State of Delaware  
Office of the Secretary of State

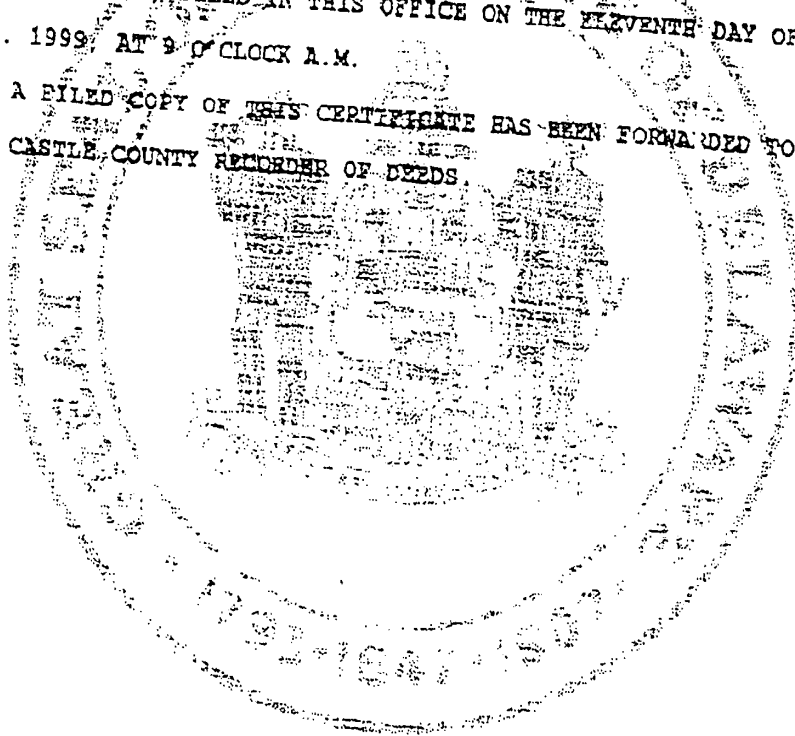
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TECH CENTER 2700

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT  
COPY OF THE RESTATED CERTIFICATE OF "NETWORK COMPUTER, INC.",  
CHANGING ITS NAME FROM "NETWORK COMPUTER, INC." TO "LIBERATE  
TECHNOLOGIES", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF MAY,  
A.D. 1999, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.



*Edward J. Freel*  
Edward J. Freel, Secretary of State

AUTHENTICATION:

9739090

DATE:

05-12-99

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STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 05/11/1999  
991167639 - 2616791

FOURTH AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION OF  
NETWORK COMPUTER, INC.

The undersigned, Mitchell E. Kertzman and Daniel Cooperman, hereby certify that:

ONE: They are the duly elected, qualified and acting Chief Executive Officer and Secretary, respectively, of Network Computer, Inc., a Delaware corporation.

TWO: The Third Amended and Restated Certificate of Incorporation of this corporation was filed on November 10, 1997 with the Secretary of State of Delaware, the Second Amended and Restated Certificate of Incorporation of this corporation was filed on July 28, 1997 with the Secretary of State of Delaware, the First Amended and Restated Certificate of Incorporation of this corporation was filed on September 24, 1996 with the Secretary of State of Delaware and the Certificate of Incorporation of this corporation was originally filed with the Secretary of State of Delaware on April 24, 1996.

THREE: The Certificate of Incorporation of this corporation shall be amended and restated to read in full as follows:

ARTICLE I

The name of the corporation is Liberate Technologies.

ARTICLE II

The address of the corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street in the City of Wilmington, County of New Castle. The name of its registered agent at such address is The Corporation Trust Company.

ARTICLE III

The purpose of this corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

ARTICLE IV


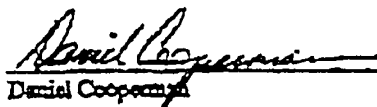
A. Classes of Stock. This corporation is authorized to issue two classes of stock to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares that the corporation is authorized to issue is 667,249,900 shares, each with a par value of \$0.01 per share; 407,500,000 shares shall be Common Stock and 259,749,900 shares shall be Preferred Stock.

B. Rights, Preferences and Restrictions of Preferred Stock. The Preferred Stock authorized by this Restated Certificate of Incorporation may be issued from time to time in one or more series. The Board of Directors is authorized to determine and alter the rights,

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The foregoing Fourth Amended and Restated Certificate of Incorporation has been duly adopted by this corporation's Board of Directors and stockholders in accordance with the applicable provisions of Sections 228, 242 and 245 of the General Corporation Law of the State of Delaware.

Executed at Redwood Shores, California on April 20, 1999.

  
\_\_\_\_\_  
Mitchell E. Kertzman  
Chief Executive Officer  
\_\_\_\_\_  
Daniel Cooperman  
Secretary

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COPY

## ASSIGNMENT

WHEREAS, I, Luis Valente, a citizen of Canada, residing at 2903 Sevyson Court, Palo Alto, California 94303, have invented a "Hierarchical Open Security Information Delegation And Acquisition" for which we have executed application papers for a U.S. patent thereon, which was filed on June 11, 1999, Serial No. 09/330274; and

WHEREAS, Network Computers, Inc., a California corporation, having a place of business at 1000 Bridge Parkway, Redwood Shores, California 94065, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, I, Luis Valente, do sell, assign, transfer and set over unto the said Network Computers, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Network Computers, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at Los Altos, this 8<sup>th</sup> day of October, 1999.

Luis Valente  
Luis Valente

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA ) ss.

On this 8<sup>th</sup> day of October, 1999, before me, ARLETTE MALHAS, a Notary Public, personally appeared Luis Valente personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Arlette Malhas  
NOTARY PUBLIC



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